Remarks/Arguments

The Examiner is thanked for the careful review of this Application. Claims 1-20 are pending after entry of the present Amendment. Amendments were made to claims to correct typographical errors and to better define the claimed invention. The amendments do not introduce new matter.

Rejections under 35 U.S.C. § 102:

The Office has maintained rejection of claims 1-20 under 35 U.S.C. section 102(b) as being anticipated by RFC 1889-RTP: A Transport Protocol for Real-Time Applications, January 1996 (hereinafter RFC 1889). For at least the following reasons, the Applicants submit that RFC 1889 fails to disclose each and every feature of the claimed invention, as defined in amended independent claims 1, 8, and 13.

In rejecting the Applicants' interpretations, the Office has indicated:

> Applicant repeatedly states that the reference in no way teaches modules in an RTP stack that happen to <u>be independent of the transport layer</u>. However, fundamental to the interpretation of RFC 1889 is the following statement in the abstract of RFC 1889: "RTP and RTPC are designed to be <u>independent of the underlying transport and network layers</u>." To claim RTP modules that happen to be transport independent is to claim that which is inherent in RTP itself. [Emphasis added.]

It is kindly submitted that the Office has misunderstood the features of the claimed invention and the Applicants' interpretations and arguments. The phrase "RTP and RTPC are designed to be independent of the underlying transport and network layers" merely means that the RTP and RTPC <u>are not part of (or included)</u> in the underlying transport and network layers. In support of the aforementioned, the Applicants refer the Office to section 2 of RFC 1889, which specifically states that "RTP is carried on top of IP and UDP."

Furthermore, independent claims 1, 8, and 13 define a "transport-independent" RTP stack or a RTP connector, and not "an RTP stack that happens to be independent of the transport layer," as Office has interpreted. The phrase "transport-independent" stack, as used in the claimed invention refers to a stack that is not dependent on the type of the underlying transport protocol. Rather, the RTP stack can be adapted so as to be used with a different type of transport protocol. For instance, while the RFC 1889 talks about RTP running on top of UDP and IP, in the specification of the claimed invention, the transport-independent RTP stack can be used with ATM. Accordingly, on that basis alone, the Applicants submit that RFC 1889 fails to disclose the RTP stack of the claimed invention.

Furthermore, the Applicants submit that RFC 1889 fails to disclose each and every feature of the claimed invention, as defined in amended independent claims. For instance, the RTP stack of the claimed invention is transport-independent because the RTP stack includes a transport-independent tasks module and a connector module. In this manner, methods that are independent of the underlying transport layer and methods that are dependent on the underlying

transport protocol have been defined in separate modules. Additionally, as amended, independent claims 1, 8, and 13 define an RTP stack or a RTP connector wherein the RTP connector can be implemented to adapt the RTP stack to a second underlying transport layer that has a different type. The transport independent tasks module of claim 1 is also configured to communicate with the modified connector module in the same manner as the connector module. RFC 1889, however, fails to disclose any of such features.

The Applicants respectfully traverse the Office's rejections in the Final Office Action, as the Applicants still cannot determine the specific components the Office has interpreted to be the transport-independent tasks module and the connector module of the claimed invention. The Final Office Action does not provide the Applicants with any additional information with respect to the specific components. For instance, in finding that RFC 1889 discloses a transport-independent tasks module, the Office has cited to the abstract and section 1 of the RFC 1889. Similarly, the Office has interpreted that section 10 of RFC 1889 discloses the connector module of the claimed invention. The Applicants submit that each of the cited to sections refer to several components, none of which provides the features of the transport-independent tasks module and connector module of the claimed invention.

Accordingly, independent claims 1, 8, and 13, and respective dependent claims are respectfully submitted to be patentable under 35 U.S.C. § 102(b) over RFC 1889. As such, the Applicants respectfully request that the § 102 (b) rejections be withdrawn.

The Applicants hereby submit that this Amendment complies with 37 C.F.R. 1.116(b) and should be entered.

In view of the foregoing, the Applicants respectfully request reconsideration and reexamination of claims 1-20, and submit that all of the pending claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present Request for Reconsideration, the Examiner is kindly requested to contact the undersigned at (408) 774-6913. If any additional fees are due in connection with filing this Request for Reconsideration, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP025). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,

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